

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Community Healthcare Association of New York, et al.,

Plaintiffs,

-against-

New York State Department of Health, et al.,

Defendants.  
-----X

STIPULATION

Civil Action No:  
10-cv-08258 (ALC)

WHEREAS, the parties have reached an agreement to resolve the issues presented by plaintiffs' motion for reconsideration and leave to amend the complaint, dated August 12, 2013, in accordance with the following terms;

IT IS HEREBY STIPULATED AND AGREED that:

1. During the pendency of the current appeals in this action, the relief provided by the State defendant's plan of action, approved by the Court on July 26, 2013, shall be extended to non-party Federally-qualified health centers ("FQHCs") (including "look-alikes" as defined by 42 U.S.C. § 1396d(l)(2)(B)(iii)), effective for service dates on and after October 1, 2013;

2. The non-party FQHCs extended relief by this Stipulation shall have 90 days from the date that their respective new rate codes are activated or the date of service (whichever results in a later claims processing deadline, subject to the applicable statute of limitations) in which to bill the State defendant for any affected claims with a service date on or after October 1, 2013;

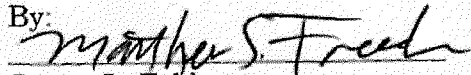
3. Nothing in this Stipulation shall be deemed to be a concession by any party as to the merits of any claim or defense in this action, nor shall anything in this Stipulation be deemed to bar or preclude any party from raising any issue or argument on the current appeals in this action.

4. The plaintiffs' motion for reconsideration and leave to amend the complaint, dated August 12, 2013, is withdrawn.

Dated: New York, New York  
October 17, 2013

FELDESMAN TUCKER LEIFER FIDELL LLP  
Attorneys for Plaintiffs

By:

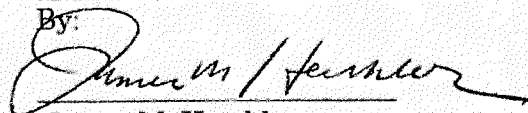


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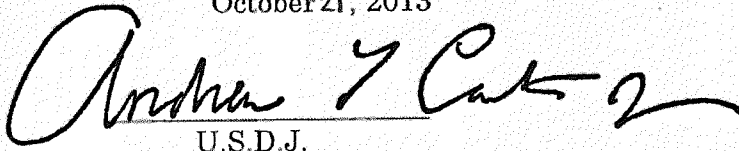
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It is so Ordered.

Dated: New York, NY  
October 21, 2013

  
U.S.D.J.